

APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 19 1997

Returned to applicant for correction

Corrected application filed

Map filed MAR 26 1996 under 62879

The applicant **Taubman Western Associates No. 2**, hereby make application for permission to change the **Point of Diversion, Place of Use and Manner of Use** of water heretofore appropriated under a portion of Claim 209, **Truckee River Decree in that certain action entitled The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants**, the same in Equity Docket No. A-3 in the District Court of the United States in and for the District of Nevada

1. The source of water is **Truckee River (Lake Ditch)**
2. The amount of water to be changed **0.6199 cfs not to exceed 199.8 acre feet per annum**
3. The water to be used for **Municipal and Domestic Purposes**
4. The water heretofore permitted for **As Decreed (Irrigation and Domestic)**
5. The water is to be diverted at the following point **See attached Exhibit "A"**
6. The existing permitted point of diversion is located within **NW¼ NW¼ Section 19, T19N, R19E, MDM or at a point from which the Northwest corner of Section 20, T19N, R19E, MDM bears S 88°05' E a distance of 2620 feet.**
7. Proposed place of use **the certificated water service area of Sierra Pacific Power Company as described in the legal description and shown on the supporting map on file with the State Engineer's Office, Division of Water Resources.**
8. Existing place of use **8.38 acres NW¼ NW¼, 0.17 acres SW¼ NW¼, 25.29 acres NE¼ NW¼, 12.61 acres SE¼ NW¼, 4.43 acres NW¼ NE¼, 2.4 acres SW¼ NE¼ a total of 53.28 acres, Section 31, T19N, R20E, MDM.**
9. Use will be from **As Decreed** to of each year.
10. Use was permitted from **As Decreed** to of each year.
11. Description of proposed works **Water will be diverted at existing Sierra Pacific facilities, treated and placed into existing distribution system.**
12. Estimated cost of works **Sierra Pacific has invested in excess of 50 Million Dollars.**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **Ten Years**

15. Remarks: During 1996 Sierra served an average of 63,871 non-duplicate customers and delivered approximately 68,122 acre feet of water. Maximum day delivery was 116.70 million gallons (358.14 acre feet).

By s/ Richard W. Arden Agent
950 Industrial Way
Sparks, NV 89431

Compared cl/nsr lw/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 209, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.6199 cubic foot per second, but not to exceed 199.8 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Application of water to beneficial use shall be filed on or before:

May, 7 2008

Proof of the application of water to beneficial use shall be filed on or before:

June 7, 2008

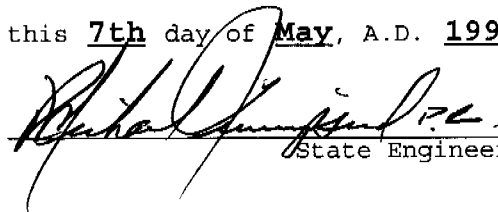
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 7th day of May, A.D. 1998


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.